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ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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at 2 o'clock and 30 min. P M
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00077-DAE
)	
Plaintiff,)	APPLICATION REGARDING
)	TEMPORARY TRANSFER OF
v.)	CUSTODY TO THE STATE OF HAWAII
)	REGARDING WRIT OF HABEAS
GAVIN A. H. KALAI,)	CORPUS AD PROSEQUENDUM;
)	EXHIBITS "A AND B"
Defendant.)	
)	
)	
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APPLICATION REGARDING TEMPORARY TRANSFER
OF CUSTODY TO THE STATE OF HAWAII REGARDING
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

William Li, Deputy Prosecuting Attorney for the City and County of Honolulu, State of Hawaii, hereby moves the Honorable Court for an Order authorizing the temporary transfer of the physical custody of GAVIN A. H. KALAI from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials from time to time and as needed until the conclusion of State of Hawaii v. GAVIN A. H. KALAI, Criminal Nos. 03-1-0953 and 03-1-2083.

Defendant GAVIN A. H. KALAI is now detained in the custody of the United States Marshal Service, District of Hawaii, serving a 36 month federal term of imprisonment.

Defendant GAVIN A. H. KALAI has two outstanding bench warrants for Motion for Revocation of Probation and Resentencing. Hearing on these motions will be set before the Honorable Karl K. Sakamoto, Judge of the Circuit Court of the First Circuit, State of Hawaii, upon the service of these bench warrants.

The State of Hawaii has received approval for a temporary transfer of custody from the Assistant United States Attorney assigned to the above matter. (See, Exhibit "A").


This Application requests that the Court grant a temporary transfer of the physical custody of GAVIN A. H. KALAI from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials, based on the State of Hawaii's Writ of Habeas Corpus ad Prosequendum filed on May 2, 2007, in the Circuit Court of the First Circuit, State of Hawaii (see, Exhibit "B").

Upon conclusion of State of Hawaii v. GAVIN A. H. KALAI, Criminal Nos. 03-1-0953 and 03-1-2083, Defendant GAVIN A. H. KALAI will be returned to the United States Marshal Service, District of Hawaii.

Dated at Honolulu, Hawaii: May 3, 2007.

STATE OF HAWAII

By PETER B. CARLISLE
Prosecuting Attorney

By 
WILLIAM LI
Deputy Prosecuting Attorney
City and County of Honolulu